

The law of citizen's arrest dates to 13th century England—a time when modern-day cops would be unrecognizable.

The practice immigrated to the American colonies and quickly became a convenient legal pretext for the persecution of the enslaved population.

Today, killings under citizen arrest speak to a key social psychological concept: subjective uncertainty, which states that when there is minimal information, people rely on stereotypes to discriminate.

The nation saw this clearly in the case of Ahmaud Arbery, whose only crime was being Black at the wrong place and wrong time, that discrimination resulted in homicide.

Beginning in the mid-1600s, enforcing the subjugation of Black Americans was a public responsibility: volunteer militias gave way to formal slave patrols, which wielded citizen's arrest statutes to brazenly and legally intimidate the Black population.

In the British colonies and the new United States, citizen's arrest melded with efforts to prevent slave escapes with the formation of slave patrols and fugitive slave acts that offered bounties for the return of freedom-seekers who, if caught, were frequently brutally punished.

Fugitive slave vigilantism was even incorporated into the United States Constitution with the agreement that all states would return captured slaves to bondage.

Following the passage of the 13th Amendment and the creation of the Ku Klux Klan, armed white vigilantes, under the cover of citizen's arrest laws, were able to terrorize Black Americans into a new form of subservience.

Through the 19th and 20th centuries, some state courts explicitly codified citizen's arrests laws; other states still rely on common law precedents. These pro-vigilante laws are in 49 of America's 50 states in one form or another.

Some might argue that the intent of citizen's arrests can be separated from its racist applications, but such a separation is impossible when the letter of the law is actively racist.

Georgia's laws were formally codified in 1861 by Thomas Cobb, a lawyer and slaveholder.

In the original code, African Americans were assumed to be enslaved unless they could prove free status.

Georgia's Citizen's Arrest statutes were first entered into the Law Code of Georgia in 1863.

In 1863, Georgia law enforcement was in serious disarray—confederates were deserting, the Union army was preparing to invade the state, and enslaved people were fleeing plantations to join Union forces.

With its criminal justice system in a state of collapse, the 1863 code revision empowered white Georgians to replace law enforcement and slave patrols to keep the enslaved Black population under control. After the Civil War, citizen's arrest supported Ku Klux Klan violence against Black Georgians.

On January 22, 1912, four African Americans in Hamilton—three men and a woman—were citizen's arrested and lynched, accused of killing a white planter who was sexually abusing Black girls and women.

On July 25, 1946, two African American couples were dragged from their car at Moore's Ford in Walton County and shot about sixty times by a mob of white men making a "citizen's arrest."

No one was ever charged with their murders.

Every African American parent, and every African American child, knows all too well 'The Talk' and the importance of abiding by the rules for surviving interactions with the police and vigilantes.

As I have stated many times, direct action is vitally important but to be effective it must be accompanied by political, legislative, and governmental action, which is necessary because the strength and foundation of democratic government rests upon the consent and confidence of the governed.

Effective enforcement of the law and administration of justice requires the confidence of the community that the law will be enforced impartially and that all persons are treated equally without regard to race or ethnicity or religion or national origin.

As the great jurist Judge Learned Hand said: "If we are to keep our democracy, there must be one commandment: thou shalt not ration justice."

Equal justice is the proud promise America makes to all persons; the George Floyd Justice in Policing Act of 2021 will help make that promise a lived reality for African Americans, who have not ever known it to be true in the area of community-police relations.

And when Black Lives Matter, then and only then can it truthfully be said that all lives matter.

Madam Speaker, I yield back the balance of my time.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 11(b) of House Resolution 188, the House stands adjourned until 8 a.m. tomorrow for morning-hour debate and 10 a.m. for legislative business.

Thereupon (at 7 o'clock and 26 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, December 2, 2021, at 8 a.m. for morning-hour debate.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 2930, the Safeguard Tribal Objects of Patrimony Act of 2021, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 3531, the Women Who Worked on the Home Front World War II Memorial Act, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC-2790. A letter from the Alternate OSD FRLO, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Department of State Rescission of Determination Regarding Sudan (DFARS Case 2021-D027) [Docket DARS-2021-0019] (RIN: 0750-AL46) received October 28, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

EC-2791. A letter from the Regulations Coordinator, Office of Head Start, Administration for Children and Families, Department of Health and Human Services, transmitting the Department's final rule — Flexibility for Head Start Designation Renewals in Certain Emergencies (RIN: 0970-AC85) received November 1, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and Labor.

EC-2792. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedure for Distribution Transformers [EERE-2017-BT-TP-0055] (RIN: 1904-AE19) received October 25, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2793. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Refrigeration Products [EERE-2017-BT-TP-0004] (RIN: 1904-AD84) received October 25, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2794. A letter from the Regulations Coordinator, Office of Population Affairs, Department of Health and Human Services, transmitting the Department's final rule — Ensuring Access to Equitable, Affordable, Client-Centered, Quality Family Planning Services (RIN: 0937-AA11) received November 15, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2795. A letter from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting the Department's final rule — Implementation of Executive Order on Access to Affordable Life-Saving Medications; Rescission of Regulation (RIN: 0906-AB30) received October 25, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2796. A letter from the Section Chief, Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of N-Ethylpentylone in Schedule I [Docket No.: DEA-482] received August 20, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2797. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auction [GN Docket No.: 12-268] received November 4, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2798. A letter from the Acting Assistant General Counsel for Legislation, Regulation